

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMY VELEZ, PENNI ZELINKOFF,)
MINEL HIDER TOBERTGA,)
MICHELLE WILLIAMS, JENNIFER)
WAXMAN-RECHT, KAREN LIGGINS,)
LORI HORTON, HOLLY WATERS,)
WENDY PINSON, ROBERTA)
VONLINTEL, CATHERINE WHITE,)
KELLY CORBETT, JAMIE HOLLAND,)
JOAN DURKIN, SIMONA LOPES,)
MARYANNE JACOBY, and MARTA)
DEYNE,)

04 Civ. 09194 (CM)

Individually and on Behalf of Others)
Similarly Situated,)

PLAINTIFFS,)

v.)

NOVARTIS PHARMACEUTICALS)
CORPORATION,)

DEFENDANT.)

**PLAINTIFFS' NOTICE OF MOTION *IN LIMINE* TO PRECLUDE DEFENDANT
FROM INTRODUCING EVIDENCE OR MAKING ANY ARGUMENT BASED
ON PLAINTIFFS' DECISION NOT TO CALL CERTAIN CLASS
REPRESENTATIVES AND CLASS MEMBERS AT TRIAL**

PLEASE TAKE NOTICE THAT, with their accompanying Memorandum in Support of their Motion *in Limine* to Preclude Defendant From Introducing Evidence or Making Any Argument Based on Plaintiffs' Decision Not To Call Certain Class Representatives and Class Members at Trial, Plaintiffs in the above-captioned matter, by and through their attorneys, Sanford Wittels & Heisler, LLP, hereby move this Court to prohibit Defendant Novartis Pharmaceuticals Corporation from offering any evidence or argument concerning Plaintiffs' decision not to call certain Class Representatives and

Class Members at trial.

Respectfully submitted,

SANFORD WITTELS & HEISLER, LLP

Dated: January 29, 2010

By: 

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Attorneys for Plaintiffs

SO ORDERED:

Dated:

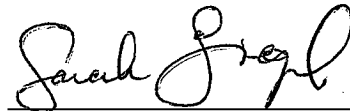
United States District Judge Colleen McMahon

CERTIFICATE OF SERVICE

I HEREBY certify that a copy of the foregoing was filed electronically and served on the following Counsel of Record via United States mail, with proper first-class postage prepaid on January 29, 2010:

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Attorneys for Novartis Pharmaceuticals Corporation

A handwritten signature in cursive script, appearing to read "Sarah Siegel", written over a horizontal line.

Sarah Siegel